

---

**Education Committee**

---

**HB 2635**

**Brief Description:** Regarding school district boundaries and organization.

**Sponsors:** Representative Quall.

**Brief Summary of Bill**

- Provides for the appointment rather than election of Regional Committees for School District organization, along with the designation by the Office of the Superintendent of Public Instruction of a non-voting, statewide chair for all Regional Committees.
- Requires that if territory proposed for transfer is zoned residential or mixed use and there are occupied dwellings, transfer petitions may only be initiated by voters in the territory.
- Requires Regional Committees to consider the impact of the Growth Management Act in their deliberations.

**Hearing Date:** 1/22/08

**Staff:** Barbara McLain (786-7383).

**Background:**

The procedures that govern school district organization and reorganization, including district boundaries and changes in boundaries, are established in statute.

*Regional Committees.* Each Educational Service District (ESD) has a Regional Committee responsible for approving and disapproving proposals to change school district organization and adjusting the property and assets and liabilities, including tax levies and bonded indebtedness, that result from changes in district organization. Regional Committees are composed of seven to nine members, depending on the size of the ESD Board of Directors, and are elected by the voters in each ESD Board member district. The election requirements and procedures are detailed in statute.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The ESD Superintendents are responsible for providing staff and technical support for the Regional Committees and overseeing the procedures involved in school district organization decisions and disputes. In some cases, boundary disputes can be controversial and become the subject of litigation and further appeal. Members of Regional Committees are generally lay persons called to make decisions on an infrequent basis. In one recent case, the decision of a Regional Committee was returned after an appeal in part because the hearing officer found the Regional Committee had not followed proper procedure in its deliberations.

If districts affected by a change in organization are located in two ESDs, current law requires involvement of both Regional Committees, as well as creation of a third temporary joint committee if the two do not agree.

*Transfer of Territory.* The current process for transfer of territory between one district and another emphasizes negotiated agreement among the districts wherever possible. A proposal to transfer territory can be initiated:

1. By a petition signed by a majority of the school board members of one of the affected districts; or
2. By a petition signed by more than 50 percent of active registered voters in the territory proposed for transfer.

Once petitions have been initiated by transmission to the ESD Superintendent, the affected school districts must negotiate regarding the proposed transfer. There are timelines for the negotiation, including the opportunity to receive a mediator appointed by the ESD. If the districts agree, the property is either transferred or not, depending on the agreement. If the districts do not agree, either district may request a hearing and decision by the Regional Committee. Further appeals are possible.

*Review Criteria.* The statutes contain a number of review criteria that Regional Committees are required to consider in their deliberations about school district organization proposals. One of the review criteria provides for consideration of the history and relationship of the property to the communities affected. A specific example is called out: inclusion in a single school district for purposes of school attendance and tax support of master planned communities with more than 1,000 units. There are no other specific references to growth management issues in the review criteria.

### **Summary of Bill:**

*Regional Committees.* Rather than being elected, members of Regional Committees are appointed by the ESD Board for four-year terms. Members previously elected serve out the remainder of their terms. Any vacancies are filled by appointment.

The Office of the Superintendent of Public Instruction (OSPI) designates an OSPI employee to serve as the non-voting, statewide chair of all Regional Committees. The purpose of the statewide chair is to:

- ensure conformity to legal procedures and rules in considering petitions;
- provide consistency in application of laws, rules, procedures, and criteria;
- provide expertise in managing meetings and public hearings;
- provide training for Regional Committee members; and

- provide assistance to the ESD Superintendents in their responsibilities.

If school districts affected by a change in organization are in two ESDs, the Regional Committee and the ESD of the district with the largest number of affected students have jurisdiction, rather than requiring a temporary joint committee. An incorrect reference to Regional Committees and director district boundaries is removed.

*Transfer of Territory.* If territory proposed to be transferred from one district to another is zoned for residential or mixed use and there are occupied dwellings, a petition may only be initiated by the registered voters, not by the vote of one of the affected school boards.

*Review Criteria.* Regional Committees must consider the impact of the Growth Management Act and current or proposed urban growth areas, city boundaries, and master planned communities in their deliberations about school district boundaries and organization. They are no longer restricted to considering master planned communities of a particular size.

**Appropriation:** None.

**Fiscal Note:** Requested on January 16, 2008.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.